

# **EXHIBIT 9**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

WAYMO LLC,	)
Plaintiff	)
vs.	) Case No.
UBER TECHNOLOGIES, INC.;	) 3:17-cv-00939-WHA
OTTOMOTTO LLC; OTTO TRUCKING	)
INC.	)
Defendants	)
_____	)

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

VIDEOTAPED DEPOSITION OF RHIAN MORGAN

San Francisco, California

Friday, August 18, 2017

Reported by:

JOANNE M. FARRELL, RPR, CRR

CSR Nos. 4838(CA) 506(HI) 507(NM)

Job No. 2681035

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1:19:29PM

1 A. No.

2 Q. Were you aware that in relation to the  
3 acquisition by Uber, certain Ottomotto employees  
4 were being forensically due-diligenced?

1:20:30PM

5 MS. DEARBORN: Object as to form.

6 And I would instruct you only to answer  
7 only that question as to "yes" or "no."

8 MR. BOOCK: And I join in that instruction.

9 THE WITNESS: No.

1:20:41PM

10 BY MS. EPSTEIN:

11 Q. Have you ever heard of "Stroz Friedburg"?

12 MS. DEARBORN: Again, you can answer that  
13 question "yes" or "no."

14 MR. BOOCK: Same.

1:20:48PM

15 THE WITNESS: Yes.

16 BY MS. EPSTEIN:

17 Q. In what context?

18 MS. DEARBORN: Okay. I would instruct the  
19 witness not to answer the question if answering the  
20 question would reveal information that you only know  
21 from lawyers for Uber, for Ottomotto, for Otto  
22 Trucking, or for yourself.

1:20:57PM

23 MR. BOOCK: Join in that instruction.

24 MS. EPSTEIN: I would say I don't think  
25 that's not an appropriate instruction, given --

1:21:09PM

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1:24:33PM

1 BY MS. EPSTEIN:

2 Q. Other than through discussion with your  
3 counsel in this action or Uber's counsel in this  
4 action, were you ever aware that Anthony Levandowski  
5 was being interviewed by a forensic investigation  
6 firm?

1:24:49PM

7 MS. DEARBORN: Okay. And, as limited, you  
8 can answer that question "yes" or "no."

9 THE WITNESS: Yes.

10 BY MS. EPSTEIN:

1:24:57PM

11 Q. How were you aware?

12 MS. DEARBORN: And, again, please set aside  
13 any information that you know only through  
14 conversations with lawyers.

15 MR. BOOCK: Join and object as to form.

1:25:05PM

16 MS. DEARBORN: Join in that objection.

17 THE WITNESS: Okay. When I was responsible  
18 for filing away the documents when they came back.

19 BY MS. EPSTEIN:

20 Q. Sorry. Filing away what documents?

1:25:21PM

21 A. Oh, sorry. The document that I referenced  
22 earlier that I said had the word "Stroz" on it.

23 Q. And when it came back from where?

24 MS. DEARBORN: Again, object as to form.

25 And I would caution the witness not to

1:25:35PM

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1:25:37PM

1 reveal information that you know only through  
2 conversations with lawyers.

3 MR. BOOCK: Join.

4 THE WITNESS: When the documents came back  
5 from Stroz.

1:25:46PM

6 BY MS. EPSTEIN:

7 Q. Did you read the documents when they came  
8 back from Stroz?

9 MS. DEARBORN: I would object.

10 And I would caution the witness not to  
11 reveal the contents of any such documents.

1:25:52PM

12 MR. BOOCK: Join.

13 MS. EPSTEIN: What's the basis for that  
14 objection?

15 MS. DEARBORN: Well, it's the appeal that's  
16 currently on appeal to the federal circuit.

1:25:59PM

17 MS. EPSTEIN: So you're going to instruct  
18 her not to answer based on the appeal?

19 MS. DEARBORN: I would instruct her not to  
20 answer based on privilege on an issue that is  
21 currently on appeal.

1:26:06PM

22 MR. BOOCK: Join.

23 BY MS. EPSTEIN:

24 Q. So --

25 A. So I don't remember if I read the document.

1:26:17PM

1 I, the undersigned, a Certified Shorthand  
2 Reporter of the State of California, do hereby  
3 certify:

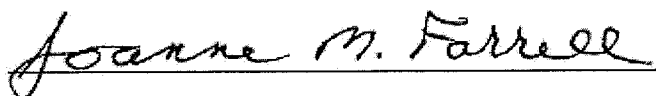
4 That the foregoing proceedings were taken  
5 before me at the time and place herein set forth;  
6 that any witnesses in the foregoing proceedings,  
7 prior to testifying, were administered an oath; that  
8 a record of the proceedings was made by me using  
9 machine shorthand which was thereafter transcribed  
10 under my direction; that the foregoing transcript is  
11 a true record of the testimony given.

12 Further, that if the foregoing pertains to the  
13 original transcript of a deposition in a Federal  
14 Case, before completion of the proceedings review of  
15 the transcript { } was {x} was not requested.

16 I further certify I am neither financially  
17 interested in the action nor a relative or employee  
18 of any attorney or any party to this action.

19 IN WITNESS WHEREOF, I have this date  
20 subscribed my name.

21 Dated: August 19, 2017

22  
23   
24

25 Joanne M. Farrell, CSR No. 4838